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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,107	06/26/2003	Jerry D. Hayes	bur920020055us1	1106
28722	7590	05/18/2006	EXAMINER	
BRACEWELL & PATTERSON, L.L.P. P.O. BOX 969 AUSTIN, TX 78767-0969			PIERRE LOUIS, ANDRE	
			ART UNIT	PAPER NUMBER
			2123	

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/604,107

Applicant(s)

HAYES ET AL.

Examiner

Andre Pierre-Louis

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1.0 The amendment filed on 04/18/2006 has been received and fully considered; and claims 1-12 are presented for examination.

2.0 Regarding the 35 U.S.C. 101 rejection, the examiner maintains the rejection of the claims.

3.0 As per the rejection under 35 U.S.C. 112 first paragraph, the examiner also maintains the rejection of the claims.

**Response to Arguments**

4.0 Applicant's arguments filed 4/18/2006 have been fully considered but they are not persuasive.

4.1 Applicants' amended claims filed on 4/18/2006 several added limitations, which prove a change in the scope of the claims; however, none of the amended claims is patentably distinct from the prior art of record as evidenced by the rejection, as set forth below.

4.2 While the applicants believe that the independent claims along with their dependencies should be found allowable, the examiner respectfully disagrees and asserts that the prior art of record teach the entire claimed invention. Found the applicants' arguments non-persuasive, the examiner the rejection of the independent claims along with their dependencies.

**Claim Rejections - 35 USC § 101**

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5.0 Claim 9 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Although the claim recites "a computer program product residing on a computer usable medium", paragraph 29 of the specification describes a signal bearing media, which does not fit into the four statutory categories. [See MPEP 2106]

**Claim Rejections - 35 USC § 112**

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6.0 Claim 9 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claim refers to "a computer readable medium"; however, the specification merely provides examples of signal bearing media, which includes non-statutory media.

**Claim Rejections - 35 USC § 102**

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.0 Claims 1-2,4-6,8-10,12 are rejected under 35 U.S.C. 102(b) as being anticipated by Rostoker et al. (U.S. Patent No. 5,557,531).

7.1 In considering the independent claims 1, 5, and 9, Rostoker et al. teaches the functional equivalence of a method for performing input/output (I/O) floor planning on an integrated circuit design, and particularly teaches the steps of: collecting design data related to an I/O circuits of said integrated circuit design from a plurality of libraries, customer specifications, and design databases (*fig.2-9 &18, col.1 line 33-col.6 line 5*); sorting said collected design data for optimizing simulations of said I/O circuit under operating conditions (*fig.2-9 &18, col.1 line 33-col.6 line 5; also col.7 line 55-col.15 line 27*); determined whether or nor a simulation is required for said I/O circuit before performing I/O floor planning on said I/O circuit (*fig.2-9 &18, col.1 line 33-col.6 line 5; also col.7 line 55-col.15 line 27*); in response to a determination that a simulation is required on said I/O circuit before performing I/O floor planning on said I/O circuit (*fig.2-9 &18, col.1 line 33-col.6 line 5; also col.7 line 55-col.15 line 27*); sending said collected design data to a simulation interface (*fig.2-9 &18, col.1 line 33-col.6 line 5; also col.7 line 55-col.15 line 27*); choosing an I/O behavioral model and a package model by said simulation interface based on said collected design data on said I/O circuit (*fig.2-9 &18, col.1 line 33-col.6 line 5; also col.7 line 55-col.15 line 27*); dynamically building a simulation deck by said simulation interface using said chosen models along with appropriate operating conditions (*fig.2-10 & 18, col.1 line 33-col.6 line 5; also col.7 line 55-col.15 line 27*); and receiving simulation results by said simulation interface from a circuit simulator after a simulation had been performed by said circuit simulator using said simulation deck containing said chosen I/O behavioral model and said operating conditions (*fig.10-12 & 18, col.6 line 48-col.9 line 5*); and performing I/O floor planning

for said I/O circuit based on said received simulation results (*fig.2-9 &18, col.1 line 33-col.6 line 5; also col.7 line 55-col.15 line 27*).

7.2 As per claims 2,6, and 10, Rostoker et al. teaches the step of dynamically analyzing simulation results based on user-defined criteria (*col.1 line 33-col.6 line 5; col.6 line 48-col.15 line 27*).

7.3 Regarding claims 4,8, and 12, Rostoker et al. teaches the step of sorting further includes sorting said collected design data according to a frequency of operation of said I/O circuits (*fig.2-8, 19, col.32 line 20-col.40 line 52*).

**Claim Rejections - 35 USC § 103**

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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8.0 Claims 3,7, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rostoker et al., as applied to claims 1-2,4-6,8-10,12, above in view of Chang et al. (U.S. Patent No. 6,269,467).

8.1 Regarding claims 3,7, and 11, Rostoker et al. teaches most of the instant invention; however, he does not expressly teach the step of collecting design specification from a customer's environment condition. Chang et al. teaches the step of collecting design specification from a customer's environment condition (fig.2, also col.1 line 17-col.4 line 65; also col.7 line 63-col.9 line 64). It would have been obvious to one ordinary skilled in the art at the time of the applicant's invention to combine the teachings of Rostoker et al. with Chang et al. for the purpose of meeting customer functional requirement. Chang et al. further teaches the improvement of glue logic distribution and methodology reduction (col.21 line 65-col.22 line 11).

### **Conclusion**

9.0 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9.1 Rostoker et al. (U.S. Patent No.5, 933,356) teaches a method and system for creating and verifying structural logic model of electronic design from behavioral description including generating logic and timing models.

10.0 claims 1-12 are rejected and **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

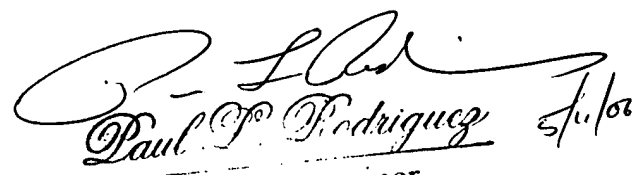
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Pierre-Louis whose telephone number is 571-272-8636. The examiner can normally be reached on Mon-Fri, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul L. Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 9, 2006

APL

  
Paul L. Rodriguez  
Primary Examiner  
Art Unit 2123